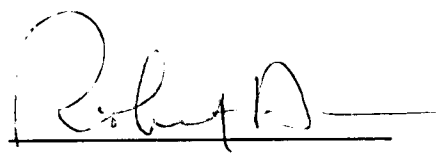


By:



5 J.R. No. 36

JOINT RESOLUTION

proposing a constitutional amendment to allow municipal court judges to hold more than one civil office of emolument.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 40, Article XVI, Texas Constitution, is amended to read as follows:

Sec. 40. No person shall hold or exercise at the same time, more than one civil office of emolument, except that of Justice of the Peace, County Commissioner, Judge of a Municipal Court, Notary Public and Postmaster, Officer of the National Guard, the National Guard Reserve, and the Officers Reserve Corps of the United States and enlisted men of the National Guard, the National Guard Reserve, and the Organized Reserves of the United States, and retired officers of the United States Army, Air Force, Navy, Marine Corps, and Coast Guard, and retired warrant officers, and retired enlisted men of the United States Army, Air Force, Navy, Marine Corps, and Coast Guard, and the officers and directors of soil and water conservation districts, unless otherwise specially provided herein. Provided, that nothing in this Constitution shall be construed to prohibit an officer or enlisted man of the National Guard, and the National Guard Reserve, or an officer in the Officers Reserve Corps of the United States, or an enlisted man in the Organized Reserves of the United States, or retired officers of the United States Army, Air Force, Navy, Marine Corps, and Coast Guard, and retired warrant officers, and retired enlisted men of the United States

\_\_\_\_.J.R. No. \_\_\_\_

1 Army, Air Force, Navy, Marine Corps, and Coast Guard, and officers  
2 of the State soil and water conservation districts, from holding at  
3 the same time any other office or position of honor, trust or  
4 profit, under this State or the United States, or from voting at  
5 any election, general, special or primary in this State when  
6 otherwise qualified. State employees or other individuals who  
7 receive all or part of their compensation either directly or  
8 indirectly from funds of the State of Texas and who are not State  
9 officers, shall not be barred from serving as members of the  
10 governing bodies of school districts, cities, towns, or other local  
11 governmental districts; provided, however, that such State  
12 employees or other individuals shall receive no salary for serving  
13 as members of such governing bodies. It is further provided that a  
14 nonelective State officer may hold other nonelective offices under  
15 the State or the United States, if the other office is of benefit  
16 to the State of Texas or is required by the State or Federal law,  
17 and there is no conflict with the original office for which he  
18 receives salary or compensation. No member of the Legislature of  
19 this State may hold any other office or position of profit under  
20 this State, or the United States, except as a notary public if  
21 qualified by law.

22 SECTION 2. This proposed constitutional amendment shall be  
23 submitted to the voters at an election to be held on November 4,  
24 1997. The ballot shall be printed to permit voting for or against  
25 the proposition: "The constitutional amendment to allow municipal

\_\_\_\_.J.R. No. \_\_\_\_

1 court judges to hold more than one civil office of emolument."

1-1 By: Duncan S.J.R. No. 36  
1-2 (In the Senate - Filed March 11, 1997; March 13, 1997, read  
1-3 first time and referred to Committee on Jurisprudence;  
1-4 April 4, 1997, reported adversely, with favorable Committee  
1-5 Substitute by the following vote: Yeas 7, Nays 0; April 4, 1997,  
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.J.R. No. 36 By: Duncan

1-8 SENATE JOINT RESOLUTION

1-9 proposing a constitutional amendment to allow a person who holds  
1-10 the office of municipal court judge to hold more than one civil  
1-11 office of emolument at the same time.

1-12 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Section 40, Article XVI, Texas Constitution, is  
1-14 amended to read as follows:

1-15 Sec. 40. No person shall hold or exercise at the same time,  
1-16 more than one civil office of emolument, except that of Justice of  
1-17 the Peace, Municipal Court Judge, County Commissioner, Notary  
1-18 Public and Postmaster, Officer of the National Guard, the National  
1-19 Guard Reserve, and the Officers Reserve Corps of the United States  
1-20 and enlisted men of the National Guard, the National Guard Reserve,  
1-21 and the Organized Reserves of the United States, and retired  
1-22 officers of the United States Army, Air Force, Navy, Marine Corps,  
1-23 and Coast Guard, and retired warrant officers, and retired enlisted  
1-24 men of the United States Army, Air Force, Navy, Marine Corps, and  
1-25 Coast Guard, and the officers and directors of soil and water  
1-26 conservation districts, unless otherwise specially provided herein.  
1-27 Provided, that nothing in this Constitution shall be construed to  
1-28 prohibit an officer or enlisted man of the National Guard, and the  
1-29 National Guard Reserve, or an officer in the Officers Reserve Corps  
1-30 of the United States, or an enlisted man in the Organized Reserves  
1-31 of the United States, or retired officers of the United States  
1-32 Army, Air Force, Navy, Marine Corps, and Coast Guard, and retired  
1-33 warrant officers, and retired enlisted men of the United States  
1-34 Army, Air Force, Navy, Marine Corps, and Coast Guard, and officers  
1-35 of the State soil and water conservation districts, from holding at  
1-36 the same time any other office or position of honor, trust or  
1-37 profit, under this State or the United States, or from voting at  
1-38 any election, general, special or primary in this State when  
1-39 otherwise qualified. State employees or other individuals who  
1-40 receive all or part of their compensation either directly or  
1-41 indirectly from funds of the State of Texas and who are not State  
1-42 officers, shall not be barred from serving as members of the  
1-43 governing bodies of school districts, cities, towns, or other local  
1-44 governmental districts; provided, however, that such State  
1-45 employees or other individuals shall receive no salary for serving  
1-46 as members of such governing bodies. It is further provided that a  
1-47 nonelective State officer may hold other nonelective offices under  
1-48 the State or the United States, if the other office is of benefit  
1-49 to the State of Texas or is required by the State or Federal law,  
1-50 and there is no conflict with the original office for which he  
1-51 receives salary or compensation. No member of the Legislature of  
1-52 this State may hold any other office or position of profit under  
1-53 this State, or the United States, except as a notary public if  
1-54 qualified by law.

1-55 SECTION 2. This proposed constitutional amendment shall be  
1-56 submitted to the voters at an election to be held on November 4,  
1-57 1997. The ballot shall be printed to provide for voting for or  
1-58 against the proposition: "The constitutional amendment to allow a  
1-59 person who holds the office of municipal court judge to hold at the  
1-60 same time more than one civil office for which the person receives  
1-61 compensation."

1-62 \* \* \* \* \*

FAVORABLY AS SUBSTITUTED  
SENATE COMMITTEE REPORT ON

SB SCR SJR SR HB HCR HJR 36

By DUNCAN  
(Author/Senate Sponsor)

APRIL 7, 1997  
(date)

We, your Committee on JURISPRUDENCE, to which was referred the attached measure,  
have on APRIL 2, 1997, had the same under consideration and I am instructed to report it  
(date of hearing)  
back with the recommendation (s) that it:

- ☒ do pass as substituted, and be printed  
    ☐ the caption remained the same as original measure  
    ☒ the caption changed with adoption of the substitute  
  
☐ do pass as substituted, and be ordered not printed  
  
☐ and is recommended for placement on the Local and Uncontested Bills Calendar.

A fiscal note was requested. ☒ yes ☐ no

A revised fiscal note was requested. ☒ yes ☐ no

An actuarial analysis was requested. ☐ yes ☒ no

Considered by subcommittee. ☐ yes ☒ no

The measure was reported from Committee by the following vote:

	YEA	NAY	ABSENT	PNV
Senator Rodney Ellis, Chair	<input checked="" type="checkbox"/>			
Senator Chris Harris, Vice-Chair	<input checked="" type="checkbox"/>			
Senator David Cain	<input checked="" type="checkbox"/>			
Senator Robert Duncan	<input checked="" type="checkbox"/>			
Senator Greg Luna	<input checked="" type="checkbox"/>			
Senator Steve Ogden	<input checked="" type="checkbox"/>			
Senator Jeff Wentworth	<input checked="" type="checkbox"/>			
TOTAL VOTES	<u>7</u>	<u>0</u>	<u>0</u>	<u>0</u>

COMMITTEE ACTION

☒ S260 Considered in public hearing

☒ S270 Testimony taken

Helen Gonzalez  
COMMITTEE CLERK

[Signature]  
CHAIRMAN

Paper clip the original and one copy of this signed form to the original bill along with TWO copies of the Committee Substitute  
Retain one copy of this form for Committee files

## **BILL ANALYSIS**

Senate Research Center

C.S.S.J.R. 36

By: Duncan

Jurisprudence

4-3-97

Committee Report (Substituted)

### **DIGEST**

Currently, the law prohibits one individual from serving in two public offices of emolument. In many smaller cities the activities of a municipal court do not require a full-time judge. These cities have appointed judges who serve as municipal judges in other municipalities. This bill authorizes a municipal court judge to hold that position in more than one county.

### **PURPOSE**

As proposed, C.S.S.J.R. 36 requires the submission to the voters of a constitutional amendment regarding the authorization of a municipal judge to hold that position in more than one county.

### **RULEMAKING AUTHORITY**

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 40, Article XVI, Texas Constitution, as follows:

Sec. 40. Provides that no person shall hold, at the same time, more than one civil office of emolument, except that of, among others, a municipal court judge.

SECTION 2. Requires this proposed constitutional amendment to be submitted to the voters at an election to be held November 4, 1997. Sets forth the required language for the ballot.

### **SUMMARY OF COMMITTEE CHANGES**

SECTION 1.

Amends Section 40, Article XVI, Texas Constitution to make a nonsubstantive change.

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE**  
**75th Regular Session**

April 3, 1997

To: Honorable Rodney Ellis, Chair  
Committee on Jurisprudence  
Senate  
Austin, Texas

IN RE: Senate Joint Resolution  
No. 36, Committee  
Report 1st House, Substituted  
By: Duncan

From: John Keel, Director

In response to your request for a Fiscal Note on SJR36 (proposing a constitutional amendment to allow a person who holds the office of municipal court judge to hold more than one civil office of emolument at the same time) this office has determined the following:

**Biennial Net Impact to General Revenue Funds by SJR36-Committee Report 1st House,  
Substituted**

No significant fiscal implication to the State is anticipated, other than the cost of publication. The cost to the state for publication of the resolution is \$71,000.

It is expected that some savings would result for cities which were able to share the cost of employing a municipal court judge.

Source: Agencies: 212 Office of Court Administration

LBB Staff: JK, BB, DC

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE**  
**75th Regular Session**

March 31, 1997

To: Honorable Rodney Ellis, Chair  
Committee on Jurisprudence  
Senate  
Austin, Texas

IN RE: Senate Joint Resolution  
No. 36  
By: Duncan

From: John Keel, Director

In response to your request for a Fiscal Note on SJR36 (Proposing a constitutional amendment to allow municipal court judges to hold more than one civil office of emolument.) this office has determined the following:

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Source: Agencies: 212 Office of Court Administration

LBB Staff: JK, BB, DC



WITNESS LIST

SJR 36  
SENATE COMMITTEE REPORT  
Jurisprudence Committee

April 2, 1997 - 1:30P

Registering, but not testifying:

For: Freeman, Bill Judge (Self), Gainesville

Indorf, David, Judge (Self), Dallas

O'Neal, Michael Judge (TX Munic. Courts), Dallas

By: Om

S.J.R. No. 36

Substitute the following for S.J. R. No. 36 :

By: Om

C.S.S.J.R. No. 36

**ADOPTED**

APR 9 1997

*Letty Ling*  
Secretary of the Senate

*SENATE*

**JOINT RESOLUTION**

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8 the Officers Reserve Corps of the United States and enlisted men of the National Guard, the  
9 National Guard Reserve, and the Organized Reserves of the United States, and retired officers of  
10 the United States Army, Air Force, Navy, Marine Corps, and Coast Guard, and retired warrant  
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12 Coast Guard, and the officers and directors of soil and water conservation districts, unless  
13 otherwise specially provided herein. Provided, that nothing in this Constitution shall be  
14 construed to prohibit an officer or enlisted man of the National Guard, and the National Guard  
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16 the Organized Reserves of the United States, or retired officers of the United States Army, Air  
17 Force, Navy, Marine Corps, and Coast Guard, and retired warrant officers, and retired enlisted  
18 men of the United States Army, Air Force, Navy, Marine Corps, and Coast Guard, and officers of  
19 the State soil and water conservation districts, from holding at the same time any other office or  
20 position of honor, trust or profit, under this State or the United States, or from voting at any  
21 election, general, special or primary in this State when otherwise qualified. State employees or  
22 other individuals who receive all or part of their compensation either directly or indirectly from  
23 funds of the State of Texas and who are not State officers, shall not be barred from serving as  
24 members of the governing bodies of school districts, cities, towns, or other local governmental  
25 districts; provided, however, that such State employees or other individuals shall receive no  
26 salary for serving as members of such governing bodies. It is further provided that a nonelective

*4-4-97*  
*4-9-97*  
*4-24-97/w H.A.*

1 State officer may hold other nonelective offices under the State or the United States, if the other  
2 office is of benefit to the State of Texas or is required by the State or Federal law, and there is no  
3 conflict with the original office for which he receives salary or compensation. No member of the  
4 Legislature of this State may hold any other office or position of profit under this State, or the  
5 United States, except as a notary public if qualified by law.

6 SECTION 2. This proposed constitutional amendment shall be submitted to the voters at an  
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8 against the proposition: "The constitutional amendment to allow a person who holds the office  
9 of municipal court judge to hold at the same time more than one civil office for which the person  
10 receives compensation."  
11

April 9 1997 Engrossed

Satsy Law  
Engrossing Clerk

NOTED  
FILED  
APR 10 1997  
CLERK OF THE SENATE

By: Duncan  
(Clark)

S.J.R. No. 36

SENATE JOINT RESOLUTION

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warrant officers, and retired enlisted men of the United States Army, Air Force, Navy, Marine Corps, and Coast Guard, and officers of the State soil and water conservation districts, from holding at the same time any other office or position of honor, trust or profit, under this State or the United States, or from voting at any election, general, special or primary in this State when otherwise qualified. State employees or other individuals who receive all or part of their compensation either directly or indirectly from funds of the State of Texas and who are not State officers, shall not be barred from serving as members of the governing bodies of school districts, cities, towns, or other local governmental districts; provided, however, that such State employees or other individuals shall receive no salary for serving as members of such governing bodies. It is further provided that a nonelective State officer may hold other nonelective offices under the State or the United States, if the other office is of benefit to the State of Texas or is required by the State or Federal law, and there is no conflict with the original office for which he receives salary or compensation. No member of the Legislature of this State may hold any other office or position of profit under this State, or the United States, except as a notary public if qualified by law.

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S.J.R. No. 36

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4     compensation."

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE**

**75th Regular Session**

April 3, 1997

To: Honorable Rodney Ellis, Chair  
Committee on Jurisprudence  
Senate  
Austin, Texas

IN RE: Senate Joint Resolution  
No. 36, Committee  
Report 1st House, Substituted  
By: Duncan

From: John Keel, Director

In response to your request for a Fiscal Note on SJR36 (proposing a constitutional amendment to allow a person who holds the office of municipal court judge to hold more than one civil office of emolument at the same time) this office has determined the following:

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**Biennial Net Impact to General Revenue Funds by SJR36-Committee Report 1st House,  
Substituted**

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No significant fiscal implication to the State is anticipated, other than the cost of publication. The cost to the state for publication of the resolution is \$71,000.

---

It is expected that some savings would result for cities which were able to share the cost of employing a municipal court judge.

Source: Agencies: 212 Office of Court Administration

LBB Staff: JK, BB, DC

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE**  
**75th Regular Session**

March 31, 1997

To: Honorable Rodney Ellis, Chair  
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Senate  
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No. 36  
By: Duncan

From: John Keel, Director

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LBB Staff: JK, BB, DC



# HOUSE COMMITTEE REPORT

1<sup>st</sup> Printing

By: Duncan  
(Clark)

S.J.R. No. 36

## SENATE JOINT RESOLUTION

1 proposing a constitutional amendment to allow a person who holds  
2 the office of municipal court judge to hold more than one civil  
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4 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

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9 the Peace, Municipal Court Judge, County Commissioner, Notary  
10 Public and Postmaster, Officer of the National Guard, the National  
11 Guard Reserve, and the Officers Reserve Corps of the United States  
12 and enlisted men of the National Guard, the National Guard Reserve,  
13 and the Organized Reserves of the United States, and retired  
14 officers of the United States Army, Air Force, Navy, Marine Corps,  
15 and Coast Guard, and retired warrant officers, and retired enlisted  
16 men of the United States Army, Air Force, Navy, Marine Corps, and  
17 Coast Guard, and the officers and directors of soil and water  
18 conservation districts, unless otherwise specially provided herein.  
19 Provided, that nothing in this Constitution shall be construed to  
20 prohibit an officer or enlisted man of the National Guard, and the  
21 National Guard Reserve, or an officer in the Officers Reserve Corps  
22 of the United States, or an enlisted man in the Organized Reserves  
23 of the United States, or retired officers of the United States  
24 Army, Air Force, Navy, Marine Corps, and Coast Guard, and retired

warrant officers, and retired enlisted men of the United States Army, Air Force, Navy, Marine Corps, and Coast Guard, and officers of the State soil and water conservation districts, from holding at the same time any other office or position of honor, trust or profit, under this State or the United States, or from voting at any election, general, special or primary in this State when otherwise qualified. State employees or other individuals who receive all or part of their compensation either directly or indirectly from funds of the State of Texas and who are not State officers, shall not be barred from serving as members of the governing bodies of school districts, cities, towns, or other local governmental districts; provided, however, that such State employees or other individuals shall receive no salary for serving as members of such governing bodies. It is further provided that a nonelective State officer may hold other nonelective offices under the State or the United States, if the other office is of benefit to the State of Texas or is required by the State or Federal law, and there is no conflict with the original office for which he receives salary or compensation. No member of the Legislature of this State may hold any other office or position of profit under this State, or the United States, except as a notary public if qualified by law.

SECTION 2. This proposed constitutional amendment shall be submitted to the voters at an election to be held on November 4, 1997. The ballot shall be printed to provide for voting for or

1       against the proposition: "The constitutional amendment to allow a  
2       person who holds the office of municipal court judge to hold at the  
3       same time more than one civil office for which the person receives  
4       compensation."

# COMMITTEE REPORT

The Honorable James E. "Pete" Laney  
Speaker of the House of Representatives

April 15, 1997  
(date)

Sir:

We, your COMMITTEE ON JUDICIAL AFFAIRS

to whom was referred SJR 36 have had the same under consideration and beg to report back with the recommendation that it

☒ do pass, without amendment.

☐ do pass, with amendment(s).

☐ do pass and be not printed; a Complete Committee Substitute is recommended in lieu of the original measure.

☐ yes ☒ no A fiscal note was requested.

☐ yes ☒ no A criminal justice policy impact statement was requested.

☐ yes ☒ no An equalized educational funding impact statement was requested.

☐ yes ☒ no An actuarial analysis was requested.

☐ yes ☒ no A water development policy impact statement was requested.

☐ yes ☒ no A tax equity note was requested.

☐ The Committee recommends that this measure be sent to the Committee on Local and Consent Calendars.

For Senate Measures: House Sponsor Ron Clark

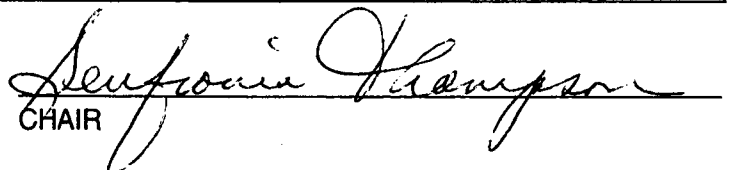
Joint Sponsors: / / /

Co-Sponsors:

The measure was reported from Committee by the following vote:

	AYE	NAY	PNV	ABSENT
Thompson, Chair	X			
Hartnett, Vice-chair	X			
Clark	X			
Crabb	X			
Garcia				X
Luna	X			
Shields	X			
Solis	X			
Zbranek				X

Total  
7 aye  
0 nay  
0 present, not voting  
2 absent

  
CHAIR

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE  
75th Regular Session**

April 3, 1997

To: Honorable Rodney Ellis, Chair  
Committee on Jurisprudence  
Senate  
Austin, Texas

IN RE: Senate Joint Resolution  
No. 36, Committee  
Report 1st House, Substituted  
By: Duncan

From: John Keel, Director

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Source: Agencies: 212 Office of Court Administration

LBB Staff: JK, BB, DC

LIST OF HOUSE AMENDMENTS CURRENTLY UNDER CONSIDERATION

SJR36-Second Reading

<u>AMENDMENT#</u>	<u>AUTHOR</u>	<u>DESCRIPTION</u>	<u>ACTION</u>
1	Holzheuser	Amendment	Adopted



# ADOPTED

APR 21 1997

Sharon Carter  
Chief Clerk  
House of Representatives

AMENDMENT NO. ①

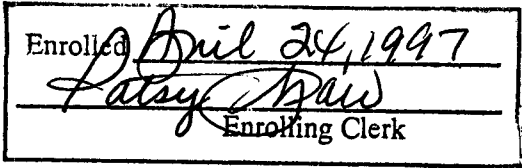
BY Hofbauer

1 Amend S.J.R. 36 as follows:

2 ✓(1) On page 1, line <sup>6</sup>9, strike "Municipal Court Judge."

3 ✓(2) On page <sup>1</sup>2, line <sup>26</sup>14, after the period, insert "A person may  
4 hold the position of Municipal Court Judge in more than one  
5 municipality."

House Am. #1  
4-24-97



S.J.R. No. 36

SENATE JOINT RESOLUTION

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10 Officer of the National Guard, the National Guard Reserve, and the  
11 Officers Reserve Corps of the United States and enlisted men of the  
12 National Guard, the National Guard Reserve, and the Organized  
13 Reserves of the United States, and retired officers of the United  
14 States Army, Air Force, Navy, Marine Corps, and Coast Guard, and  
15 retired warrant officers, and retired enlisted men of the United  
16 States Army, Air Force, Navy, Marine Corps, and Coast Guard, and  
17 the officers and directors of soil and water conservation  
18 districts, unless otherwise specially provided herein. Provided,  
19 that nothing in this Constitution shall be construed to prohibit an  
20 officer or enlisted man of the National Guard, and the National  
21 Guard Reserve, or an officer in the Officers Reserve Corps of the  
22 United States, or an enlisted man in the Organized Reserves of the  
23 United States, or retired officers of the United States Army, Air  
24 Force, Navy, Marine Corps, and Coast Guard, and retired warrant



1 officers, and retired enlisted men of the United States Army, Air  
2 Force, Navy, Marine Corps, and Coast Guard, and officers of the  
3 State soil and water conservation districts, from holding at the  
4 same time any other office or position of honor, trust or profit,  
5 under this State or the United States, or from voting at any  
6 election, general, special or primary in this State when otherwise  
7 qualified. State employees or other individuals who receive all or  
8 part of their compensation either directly or indirectly from funds  
9 of the State of Texas and who are not State officers, shall not be  
10 barred from serving as members of the governing bodies of school  
11 districts, cities, towns, or other local governmental districts;  
12 provided, however, that such State employees or other individuals  
13 shall receive no salary for serving as members of such governing  
14 bodies. A person may hold the position of Municipal Court Judge in  
15 more than one municipality. It is further provided that a  
16 nonelective State officer may hold other nonelective offices under  
17 the State or the United States, if the other office is of benefit  
18 to the State of Texas or is required by the State or Federal law,  
19 and there is no conflict with the original office for which he  
20 receives salary or compensation. No member of the Legislature of  
21 this State may hold any other office or position of profit under  
22 this State, or the United States, except as a notary public if  
23 qualified by law.

24 SECTION 2. This proposed constitutional amendment shall be  
25 submitted to the voters at an election to be held on November 4,

S.J.R. No. 36

1 1997. The ballot shall be printed to provide for voting for or  
2 against the proposition: "The constitutional amendment to allow a  
3 person who holds the office of municipal court judge to hold at the  
4 same time more than one civil office for which the person receives  
5 compensation."

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President of the Senate

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Speaker of the House

I hereby certify that S.J.R. No. 36 was adopted by the Senate on April 9, 1997, by the following vote: Yeas 31, Nays 0; and that the Senate concurred in House amendment on April 23, 1997, by the following vote: Yeas 31, Nays 0.

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Secretary of the Senate

I hereby certify that S.J.R. No. 36 was adopted by the House, with amendment, on April 21, 1997, by the following vote: Yeas 120, Nays 16, one present not voting.

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Chief Clerk of the House

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE**  
**75th Regular Session**

April 22, 1997

To: Honorable Bob Bullock  
Lieutenant Governor  
Senate  
Austin, Texas

IN RE: Senate Joint Resolution  
No. 36, As Passed 2nd  
House  
Duncan

From: John Keel, Director

In response to your request for a Fiscal Note on SJR36 (Proposing a constitutional amendment to allow a person who holds the office of municipal court judge to hold more than one civil office of emolument at the same time.) this office has determined the following:

**Biennial Net Impact to General Revenue Funds by SJR36-As Passed 2nd House**

No fiscal implication to the State is anticipated, other than the cost of publication.

The cost to the state for publication of the resolution is \$71,000.

No fiscal implication to units of local government is anticipated.

Source: Agencies:

LBB Staff: JK, BB, JD

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE**  
**75th Regular Session**

April 3, 1997

To: Honorable Rodney Ellis, Chair  
Committee on Jurisprudence  
Senate  
Austin, Texas

IN RE: Senate Joint Resolution  
No. 36, Committee  
Report 1st House, Substituted  
By: Duncan

From: John Keel, Director

In response to your request for a Fiscal Note on SJR36 (proposing a constitutional amendment to allow a person who holds the office of municipal court judge to hold more than one civil office of emolument at the same time) this office has determined the following:

**Biennial Net Impact to General Revenue Funds by SJR36-Committee Report 1st House,  
Substituted**

No significant fiscal implication to the State is anticipated, other than the cost of publication. The cost to the state for publication of the resolution is \$71,000.

It is expected that some savings would result for cities which were able to share the cost of employing a municipal court judge.

Source: Agencies: 212 Office of Court Administration

LBB Staff: JK, BB, DC

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE**  
**75th Regular Session**

March 31, 1997

To: Honorable Rodney Ellis, Chair  
Committee on Jurisprudence  
Senate  
Austin, Texas

IN RE: Senate Joint Resolution  
No. 36  
By: Duncan

From: John Keel, Director

In response to your request for a Fiscal Note on SJR36 (Proposing a constitutional amendment to allow municipal court judges to hold more than one civil office of emolument.) this office has determined the following:

**Biennial Net Impact to General Revenue Funds by SJR36-As Introduced**

No significant fiscal implication to the State is anticipated, other than the cost of publication. The cost to the state for publication of the resolution is \$71,000.

It is expected that some savings would result for cities which were able to share the cost of employing a municipal court judge.

Source: Agencies: 212 Office of Court Administration

LBB Staff: JK, BB, DC

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 President of the Senate

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 Speaker of the House

I hereby certify that S.J.R. No. 36 was adopted by the Senate on April 9, 1997, by the following vote: Yeas 31, Nays 0; and that the Senate concurred in House amendment on April 23, 1997, by the following vote: Yeas 31, Nays 0.

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 Secretary of the Senate

I hereby certify that S.J.R. No. 36 was adopted by the House <sup>with amendments</sup> on April 21, 1997, by the following vote: Yeas 120, Nays 16, one present not voting.

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 Chief Clerk of the House

S.J.R. No. 36

By Robert D. ...

SENATE JOINT RESOLUTION

proposing a constitutional amendment to allow municipal court judges to hold more than one civil office of emolument.

MAR 11 1997 Filed with the Secretary of the Senate  
MAR 13 1997 Read and referred to Committee on JURISPRUDENCE  
Reported favorably \_\_\_\_\_  
APR 01 1997 Reported adversely, with favorable Committee Substitute; Committee Substitute read first time.  
Ordered not printed  
Laid before the Senate  
APR 09 1997 Senate and Constitutional Rules to permit consideration suspended by: { unanimous consent  
\_\_\_\_\_ yeas, \_\_\_\_\_ nays  
APR 09 1997 Read second time, \_\_\_\_\_, and ordered engrossed by: { unanimous consent  
a viva voce vote  
\_\_\_\_\_ yeas, \_\_\_\_\_ nays  
APR 09 1997 Senate and Constitutional 3 Day Rule suspended by a vote of 31 yeas, 0 nays.  
APR 09 1997 Read third time, \_\_\_\_\_, and passed by: \_\_\_\_\_ yeas, \_\_\_\_\_ nays

Buty King  
SECRETARY OF THE SENATE

OTHER ACTION:

APR 09 1997 Engrossed  
April 19, 1997 Sent to House

Engrossing Clerk

Patricia Shaw

APR 10 1997 Received from the Senate  
APR 11 1997 Read first time and referred to Committee on Judicial Affairs  
APR 15 1997 Reported \_\_\_\_\_ favorably (~~as amended~~) (~~as substituted~~)  
APR 17 1997 Sent to Committee on Calendars  
APR 21 1997 Read second time (~~comm. subst.~~) (amended) and adopted (~~passed to third reading~~) by a record vote of 120 yeas, 16 nays, 1 present, not voting  
Read third time (amended) and finally adopted (failed of adoption) by a record vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, \_\_\_\_\_ present, not voting  
APR 21 1997 Returned to Senate.

Sharon Chrysler

CHIEF CLERK OF THE HOUSE

Returned from House without amendment.  
APR 21 1997 Returned from House with 1 amendments.  
APR 23 1997 Concurred in House amendments by a ~~viva voce vote~~ 31 yeas, 0 nays.

\_\_\_\_\_ Refused to concur in House amendments and requested the appointment of a Conference Committee to adjust the differences.

\_\_\_\_\_ Senate conferees instructed.

\_\_\_\_\_ Senate conferees appointed: \_\_\_\_\_, Chairman; \_\_\_\_\_  
\_\_\_\_\_, \_\_\_\_\_, and \_\_\_\_\_

\_\_\_\_\_ House granted Senate request. House conferees appointed: \_\_\_\_\_, Chairman;  
\_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_ Conference Committee Report read and filed with the Secretary of the Senate.

\_\_\_\_\_ Conference Committee Report adopted on the part of the House by: \_\_\_\_\_

{ a viva voce vote  
\_\_\_\_\_ yeas, \_\_\_\_\_ nays

\_\_\_\_\_ Conference Committee Report adopted on the part of the Senate by:

{ a viva voce vote  
\_\_\_\_\_ yeas, \_\_\_\_\_ nays

**OTHER ACTION:**

\_\_\_\_\_ Recommitted to Conference Committee

\_\_\_\_\_ Conferees discharged.

\_\_\_\_\_ Conference Committee Report failed of adoption by: \_\_\_\_\_

{ a viva voce vote  
\_\_\_\_\_ yeas, \_\_\_\_\_ nays

116 33